



1637
#8
Docket No. 62430-A/JPW/AJM/DRM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jane H. Morse and James A. Knowles
Serial No. : 09/904,380 Examiner: K. Horlick
Filed : July 12, 2001 Art Unit: 1637
For : ROLE OF PPH1 GENE IN PULMONARY HYPERTENSION

1185 Avenue of the Americas
New York, New York 10036
October 10, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

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Sir:

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**COMMUNICATION IN RESPONSE TO
SEPTEMBER 10, 2002 RESTRICTION REQUIREMENT**

This Communication is submitted in response to the September 10, 2002 Office Action issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to the September 10, 2002 Office Action is due October 10, 2002. Accordingly, this Communication is being timely filed.

In the Office Action, the Examiner restricted pending claims 1-60 to one of the following allegedly distinct inventions under 35 U.S.C. §121:

- I. Claims 1-52 and 56, drawn to methods of detecting bone morphogenic protein receptor-II gene mutations;
- II. Claim 53, drawn to a method of preventing and/or treating Familial Primary Pulmonary Hypertension using a nucleic acid;
- III. Claim 55, drawn to a method of preventing and/or treating Familial Primary Pulmonary Hypertension using a protein;